Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 8th, 2008 has been entered. Claims 1-33 are presented for the further examination.

Response to Arguments

2. Applicant's arguments filed September 8th, 2008 have been fully considered but they are not persuasive.

a. Maes and Kumar fails to disclose all limitation of claims 1, 13, 19, 23 and 28 and argues that Maes fails to teach or suggest hand-held device is operating as a server from which a remote procedure call can be invoked and argues that hand-held device is not internet addressable.

In response to applicant argument a), it is still unclear to examiner how hand-held device in present invention is acting as network server and is also not Internet addressable. Applicant admitted that Maes making numerous references to remote procedure call protocol such as SOAP but failed to teach handheld device as a network server as well as not internet addressable. However, applicant assigned representative failed to show any support from specification

that discloses that hand-held device or mobile terminal is network server. Upon evaluating specification, examiner find no support in specification that discloses "mobile terminal is a network server". Further, present amendment raised confusion to one skilled in the art to recognize mobile terminal as a network server and same time is not internet addressable. Therefore, applicant arguments are not persuasive and the rejection is maintained.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant has amended all independent claims that now recites "receiving a Web service message sent from a first network entity via the Internet, the Web service message targeted invoke a remote procedure call of a mobile terminal that is configured as a network server and is not Internet addressable". Examiner finds no where in specification that discloses "mobile terminal is configured as a network server " An appropriate correction is required.

5. Claims 1-33 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant has amended all independent claims that now recites "receiving a Web service message sent from a first network entity via the Internet, the Web service message targeted invoke a remote procedure call of a mobile terminal that is configured as a network server and is not Internet addressable". It is not enabling as mobile terminal that is configured as a network server is not Internet addressable. It is unclear how one skilled in the art would recognize mobile terminal both as a network server as well as not Internet addressable. An appropriate correction is required to clarify "not Internet addressable".

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claim1-33 rejected under 35 U.S.C. 103(a) as being obvious over Maes U.S. Patent Number 6,934,756 B2 (hereinafter Maes) and Kumar et al. US Patent Number 6,965, 929 B2 (hereinafter Kumar).

As per claim 1, Maes discloses receiving a Web service message [Distributed speech recognition message over a web service, column 43, lines 15-64; Figures 17, 20] sent from a first network entity via the Internet, the Web service message targeted invoke a remote procedure call of a mobile terminal [Figures 17, 19-20] that is configured as a network server (see figure 19, block 1906 communicating with 1902); directing a request to an Internet accessible locator arrangement [controller, see figure 16] to assist in processing the Web service message [process the speech I/O which are remotely connected over the network; see column 28, line 29 – column 29, line 2], wherein the locator arrangement is capable of identifying and locating mobile devices (see column 28, line 29 - column 29, line 2); sending the Web service message to the mobile terminal via the locator arrangement using a mobile services transport protocol, w*herein* the Web service message is processed at the mobile terminal to invoke the remote procedure call [see Figures 17-19; column 29, line 29 – column 31, line 19].

However, Maes is silent about the mobile terminal as not being an internet addressable.

Kumar teaches that mobile terminal is not Internet addressable (see column2, line 60 - column 3 line 47)

Therefore it would have been obvious to one having ordinary skill in the art to combine the teachings of Kumar and Maes to provide a secure and enhanced communication between mobile terminals, terminal devices that are not internet

addressable and to provide communication to the terminals that are outside the current local area network located remotely on second network or behind the private network gateway device.

As per claim 2, Maes discloses the Web service message includes a Simple Object Access Protocol (SOAP) message (see column 4, lines 3-42, and column 53, lines 1-54).

As per claim 3, Maes discloses the mobile services transport protocol comprises a Hypertext Transfer Protocol (HTTP) (see column 4, lines 3-42, column 53, and lines 1-54).

As per claim 4, Maes discloses the mobile services transport protocol comprises a Session Initiation Protocol (SIP) (see column 4, lines 3-42, column 53, and lines 1-54).

As per claim 5, Maes discloses the mobile services transport protocol comprises a Simple Mail Transport Protocol (SMTP) (see column 4, lines 3-42, column 53, and lines 1-54).

As per claim 6, Maes discloses registering a web service of the mobile terminal with the locator arrangement (see column 13, line 63 – column 14, line 25).

As per claim 7, Maes discloses sending the Web service message to the mobile terminal utilizing the locator arrangement comprises determining an address [registering conversational state; see column 11, lines 34-61] of the

mobile terminal based the registration of the mobile terminal with the locator arrangement

As per claim 8, Maes discloses sending the Web service message to the mobile terminal utilizing the locator arrangement comprises determining an address of the mobile terminal based [registering conversational state; see column 11, lines 34-61] on an identifier of the mobile terminal included in the Web service message (see column 26, lines 33-67).

As per claim 9, Maes discloses sending the Web service message to the mobile terminal utilizing the locator arrangement comprises determining an address of the mobile terminal based [registering conversational state; see column 11, lines 34-61] on a Universal Resource Identifier (URI) associated with the locator arrangement (see column 26, lines 33-67).

As per claim 10, Maes discloses directing the request to the locator arrangement for processing the Web service message comprises directing the Web service message to the locator arrangement, and wherein sending the Web service message [the stream is sent to a speech server and process the browser data back to and from the serve; see column 26, lines 33-67] to the mobile terminal [mobile devices, block 1902; Figures 17, 19-20] utilizing the locator arrangement comprises sending (see column 26, lines 33-67) the Web service message via the locator arrangement to the locator terminal (see column 26, lines 33-67).

As per claim 11, Maes discloses sending the Web service message via the locator arrangement to the mobile terminal comprises initiating a session between the locator arrangement and the mobile terminal using a Wireless Application Protocol Over The Air Push (see paragraph 0061).

As per claim 12, Maes discloses directing the request to the locator arrangement for processing the Web service [process the speech I/O which are remotely connected over the network; see column 28, line 29 – column 29, line 2] message comprises requesting an address of the mobile terminal from the locator arrangement, and wherein sending the Web service message [the stream is sent to a speech server and process the browser data back to and from the serve; see column 26, lines 33-67] to the mobile terminal utilizing the locator arrangement comprises sending the Web service message to the mobile terminal [mobile devices, block 1902; Figures 17 , 19-20] using the address of the mobile terminal provided from the locator arrangement (see column 26, lines 33-67).

As per claims 13 - 18, claims 13- 18 are system claims of method claims 1-2, 4-5, and 11. They do not teach or further define over the limitation as recited in claims 1-2, 4, 5, 11, and 1, respectively. Therefore, claims 13-18 are rejected under same scope as recited in claims 1- 2, 4, 5, 11 and 1, supra.

As per claim 19, Maes discloses a mobile terminal [see Figure 19] wirelessly coupled to a network, comprising: a transceiver [transmitter, column 23, lines 31-36] configured to exchange of data with a locator arrangement via a mobile network; a memory [memory] capable of storing at least one of a mobile

services transport module and a Web services processing module [see column 13, lines 36-62] that cause the mobile terminal to act as a network server (see figure 19, block 1906 communicating with 1902); and a processor coupled [processor, column 6, lines 10-15] to the memory and the transceiver, the processor configured by the mobile services transport module to receive Web service messages [see column 26, lines 33-67] targeted for the mobile terminal via the locator arrangement using a mobile services transport protocol, wherein the processor is further configured by the mobile services transport module to communicate the Web service messages [see column 28, line 29 – column 29, line 2] to the Web services processing module, and wherein the processor configured by the Web services processing module to invoke a remote procedure call of the mobile terminal in response to the Web service messages[see Figures 17-19; column 29, line 29 – column 31, line 19]..

However, Maes is silent about the mobile terminal as not being an internet addressable.

Kumar teaches that mobile terminal is not Internet addressable (see column2, line 60 - column 3 line 47)

Therefore it would have been obvious to one having ordinary skill in the art to combine the teachings of Kumar and Maes to provide a secure and enhanced communication between mobile terminals, terminal devices that are not internet addressable and to provide communication to the terminals that are outside the

current local area network located remotely on second network or behind the private network gateway device.

As per claims 20-22, claims 20-22 do not teach or further define over the limitation as recited in claims 2, 4, and 5. Therefore, claims 14-17 are rejected under same scope as recited in claims 2, 4, and 5, supra.

As per claims 23-27, claims 23- 27 are computer readable medium claims of method claims 1-2, 4-5 and 11. They do not teach or further define over the limitation as recited in claims 1-2, 4- 5, and 11. Therefore, claims 23-27 are rejected under same scope as recited in claims1-2, 4-5, and 11, supra.

As per claims 28-33, claims 28-33 are server computer claim of method claims 1-2, 4-5, 11, 13 and 18. They do not teach or further define over the limitation as recited in claims 1-2, 4-5, 11, 13 and 18.Therefore, claims 28-33 are rejected under same scope as recited in claims 1-2, 4-5, 11, 13 and 18, supra.

Conclusion

8. A shortened statutory period for reply to this non-final action is set to expire THREE MONTHS from the mailing date of this action. Failure to respond within the period for response will result in **ABANDONMENT** of the applicant (See 35 U.S.C 133, M.P.E.P 710.02,71002 (b)).

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAKET K. DAFTUAR whose telephone number is (571)272-8363. The examiner can normally be reached on 8:30am-5:00pm M-W.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. K. D./
Examiner, Art Unit 2451
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